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OPEN-ENDED WORKING GROUP ON THE REVIEW
OF ARRANGEMENTS FOR CONSULTATION WITH
NON-GOVERNMENTAL ORGANIZATIONS
First session
20-24 June 1994
Agenda item 3

GENERAL REVIEW OF ARRANGEMENTS FOR CONSULTATIONS WITH NON-GOVERNMENTAL ORGANIZATIONS

Statement submitted by ActionAid, a non-governmental organization in consultative status with the Economic and Social Council, category II

The Secretary-General has received the following statement, which is being circulated in accordance with paragraphs 23 and 24 of Economic and Social Council resolution 1296 (XLIV) of 23 May 1968.

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1. The following statement is submitted by ActionAid in collaboration with CAFOD, CHRISTIAN AID, OXFAM (United Kingdom and Ireland) and SAVE THE CHILDREN FUND of the United Kingdom. 1/

I. INTRODUCTION

2. In the first words of the Charter of the United Nations we find an underlying paradox: the individuals who signed the Charter of the United Nations in 1945 did so not on behalf of their people but on behalf of their Governments. The United Nations was created by and is accountable to nation States, yet the Charter of the United Nations begins with a declaration of human rights. The tension within the United Nations as a supranational body that harmonizes the actions of nations yet is restricted in its actions by what the Government of those States allow constrains the effectiveness of the United Nations in many spheres.

3. The United Nations has no institutions in which the people of the world can express themselves. Only the Governments of States participate in the General Assembly and the Security Council, and the Economic and Social Council is also an assembly of executive branches. The inability of other segments of society to participate has always been a defect, but as the role of civil society - a phenomenon broader that non-governmental organizations - is increasingly recognized, the gap becomes more glaring and the words of the Charter of the United Nations sound more hollow.

II. COMMENTS ON ECONOMIC AND SOCIAL COUNCIL RESOLUTION 1296 (XLIV)

4. The role of non-governmental organizations in many areas, particularly humanitarian and human rights matters, has expanded greatly in recent years and the 25-year-old rules that govern their relationships with the United Nations and its agencies have been overtaken by events.

5. At the present juncture, the International Save the Children Alliance (ISCA) and the agencies of the British Overseas Aid Group (BOAG) are restricting themselves to a few comments on the current arrangements and some examples. The group would be happy to continue discussions on such issues as access, costs and regional groupings as the Working Group session proceeds.

6. The principal mechanism for formal engagement between the non-governmental organization community and the United Nations system has been the conferring of consultative status on selected non-governmental organizations by the Economic and Social Council, as envisaged in its resolution 1296 (XLIV).

7. While it is clear that some flexibility has been employed in granting consultative status, it is interesting to note the significant omissions from the list of matters falling within the competence of the Economic and Social Council (para. 1). Despite the phrase "related matters", there is no mention of humanitarian or environmental issues. It is arguable that it is within those two fields that non-governmental organizations have most direct contact with United Nations bodies and have had the most influence within the last 25 years.

8. Paragraph 9, which states that national organizations shall normally present their view through international non-governmental organizations to which they belong, is particularly restrictive. There are many non-governmental organizations that organize locally, nationally and regionally but which have global concerns. That ruling tends to perpetuate the bureaucratic nature of United Nations/non-governmental organization relations by confining dialogue to New York- or Geneva-based umbrella organizations.

9. The International Save the Children Alliance has category I status and three of the BOAG agencies have consultative status through their affiliations to international organizations, while Save the Children United Kingdom has recently had to give up its category II status. While the rationale for that is clear under resolution 1296, it does not reflect the true nature of existing relationships between Save the Children, other members of the International Save the Children Alliance and the United Nations and is an unnecessary bureaucratic constraint.

III. RECENT EXAMPLES OF UNITED NATIONS/NON-GOVERNMENTAL ORGANIZATION RELATIONS

A. The preparatory process of the World Conference on Human Rights

10. We are concerned that many non-governmental organizations, especially small organizations operating in, or exiled from, undemocratic countries, are denied formal access to the United Nations. For example, at the Asia regional meeting held as part of the preparatory process of the World Conference on Human Rights, the non-governmental organization community was able to present a forceful statement upholding the universality of human rights while some Asian Governments sought to reverse global progress on the issue. In our view and the view of many of the official observer delegations present, for example, the United States of America and the United Kingdom, that alternative voice from Asian society was invaluable in counterbalancing the undemocratic elements of the official voice.

11. However, many of the people from the Asian non-governmental sector present at that meeting had been obliged to attend under the auspices of accredited international non-governmental organizations, because their own Governments sought to prevent their access to international forums and/or because they did not have United Nations accreditation themselves.

B. The Convention on the Rights of the Child

12. The Convention has broken new ground as an international human rights instrument in terms of the number of States that have ratified it (currently 59) and the speed with which they have done so. The role it gives to "other competent bodies" is also unique and is already proving to be vital to the effectiveness of the Convention. Part of that effectiveness is due to the active way in which the Committee on the Rights of the Child is interpreting Article 44 and insisting upon non-governmental organizations taking on an important role in the reporting procedures. The Committee has acted upon its recognition of two very important factors: first, a 10-person committee of experts cannot monitor the implementation of an international convention covering all aspects of the survival, protection and welfare of children; second, despite the fact that the Convention is a legal instrument to which only States Parties are signatories, many other actors are involved in the realization of the rights enshrined in the Convention.

13. In many countries, non-governmental organizations have formed themselves into coalitions to prepare alternative reports. Representatives of those coalitions attend the pre-sessional working groups in Geneva. Often those representatives are not formally accredited to the Economic and Social Council. Their invitation to participate has come in response to their active interest in the process and their involvement in and knowledge of children's issues. In some instances, the combination of the initiatives taken by non-governmental organizations in a country and the interest and support emanating from the Committee has caused the Government concerned to review its policies affecting children. Despite States Parties being the only signatories to the Convention,

it is the flexible and creative use of a human rights instrument by a United Nations body in combination with national-level non-governmental organizations that is having an impact.

C. Inter-Agency Standing Committee (IASC)

14. In recent years, there has been a sustained need for increased levels of humanitarian assistance. BOAG members have accumulated considerable expertise in that field and have noted the increasing role played by non-governmental organizations in the provision of emergency relief.

15. Despite that growing involvement, there is little formal provision for dialogue between non-governmental organizations and other actors involved in the field of humanitarian assistance, especially the United Nations agencies. General Assembly resolution 46/182 makes mention of the role of non-governmental organizations in humanitarian response but measures taken to implement the resolution have not yet acknowledged the extent of that role.

16. An Inter-Agency Standing Committee was established by Assembly resolution 46/182, to which relevant non-governmental organizations can be invited to participate on an ad hoc basis. Two representatives of the non-governmental organization grouping now participate in the Committee on a regular basis. The meetings of IASC have not been frequent, however, and there is as yet little evidence that the complementary roles of the various actors is acknowledged or fully understood. Moreover, while that problem is particularly apparent in the field of humanitarian assistance, it also exists in many other areas. Formal mechanisms to improve relations between United Nations agencies and non-governmental organizations, including local non-governmental organizations, should be encouraged and extended to improve the participatory approach of the specialized agencies, including the World Bank.

IV. CONCLUSIONS

17. The existing procedures of accreditation seem to favour the well-funded established international non-governmental organizations that have comparatively easy access to the New York and Geneva offices of the United Nations and United Nations agencies, and not to allow sufficiently for those organizations whose funding and/or location give them restricted access. The tone and strictures of Council resolution 1296 (XLIV) and the attitude it engenders reflect a narrow interpretation of what non-governmental organizations are and what they already contribute to furthering the purposes and principles of the United Nations. Lessons can be learned from the Convention on the Rights of the Child about how to acknowledge the role of non-governmental organizations and from IASC about how to welcome and facilitate the involvement of non-governmental organizations.

18. The international and national requirements mentioned in paragraph 4 of Council resolution 1296 (XLIV) and elaborated in paragraph 9 should be refined to reflect the lessons learned from non-governmental organization participation in United Nations conferences, at which more flexible and streamlined procedures

have enabled a broader range of non-governmental organizations to contribute to the United Nations debate.

19. Existing mechanisms governing relations in humanitarian and development assistance impose too many bureaucratic difficulties and complications on the process of dialogue and cooperation between the United Nations and non-governmental organizations.

20. The tension between the sovereign State as the prime political unit of the United Nations structure and the needs of people in situations involving disputed sovereignty, disintegrating States, internal conflict and a national government abusing human rights should be addressed. The State-centred mandates of the United Nations agencies and the way in which the Security Council operates often lead to an inconsistent and inadequate humanitarian response. The United Nations should seek ways to make all its structures more accessible and responsive to the non-governmental world.

Notes

1/ The British Overseas Aid Group (BOAG) comprises the following organizations: ActionAid, Hamlyn House, Archway, London N19 5PG (ActionAid is in consultative status with the Economic and Social Council, category II); CAFOD, the Catholic Fund for Overseas Development, Romero Close, Stockwell Road, London SW9 9TY (CAFOD is a member of Caritas Internationalis (International Confederation of Catholic Charities), which is in consultative status with the Economic and Social Council, category II); Christian Aid, P. O. Box 100, London SE1 7RT (Christian Aid is a member of the World Council of Churches, which is in consultative status with the Economic and Social Council, category II); Oxfam, 274, Banbury Road, Oxford OX2 7DZ (Oxfam is in consultative status with the Economic and Social Council, category II); and the Save the Children Fund, 17, Grove Lane, London SE5 8RD (Save the Children is a member of the International Save the Children Alliance, which is in consultative status with the Economic and Social Council, category I). In the United Kingdom of Great Britain and Northern Ireland, only about 5 per cent of development assistance for non-governmental organizations comes from government funding, compared to 37 per cent in the United States of America. Commitments to non-governmental organizations in the United Kingdom arising from humanitarian crises have increased; for example, the income of the Save the Children Fund rose from £59,603,000 (US$ 89,863,443) in 1990/91 to £99,603,000 (US$ 154,454,377) in 1991/92 and the greatest increases in spending are due to emergency programmes, such as those in Iraqi Kurdistan and Somalia.

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GENERAL REVIEW OF ARRANGEMENTS FOR CONSULTATIONS WITH NON-GOVERNMENTAL ORGANIZATIONS

Statement submitted by the World Young Women's Christian Association, a non-governmental organization in consultative status with the Economic and Social Council, category II

The Secretary-General has received the following statement, which is being circulated in accordance with paragraphs 23 and 24 of Economic and Social Council resolution 1296 (XLIV) of 23 May 1968.

* * *

1. The World Young Women's Christian Association (World YWCA), a non-governmental organization in category II, appreciates the opportunity to contribute to the Open-Ended Working Group's review of the consultative relationship. This is also an opportunity to express appreciation for the generous services of the NGO Unit and the splendid resources available through the United Nations Department of Public Information which make NGO work possible.

2. The World YWCA can speak with some authority on questions under review. It is a century-old international organization with indigenous national affiliates in 91 countries, including newly reactivated national YWCAs in central Europe. Its ethnically, racially, religiously and economically diverse membership numbers many millions, including one million in a single central African country. YWCA concerns largely parallel the economic and social interests of the United Nations. For example, YWCAs have traditionally promoted the concept of sustainable development through programmes in education, health, housing, family life, economic development and extensive work with refugees.

3. The World YWCA worked with the League of Nations; was represented by its General Secretary and others as observers in San Francisco at the 1945 United Nations Charter Conference; promoted United Nations membership through its national constituencies and was one of the early organizations accepted into consultative status. Policies and programmes are adopted at delegate World YWCA assemblies where rules favour youth and southern hemisphere delegations are a majority.

4. Members, including youth, from Africa, Asia, the Caribbean, Latin America and the Pacific Island countries consistently represent the World YWCA at United Nations events and conferences and at United Nations centres. Stress on leadership training, of which these activities are a part, has been a factor in the selection of numbers of YWCA leaders as United Nations officials, delegates and even permanent representatives of their countries. Through its communications, publications, training events, decision-making processes and representation at Economic and Social Council and United Nations meetings and conferences, the World YWCA has persistently followed, participated in and sought to implement Economic and Social Council and United Nations resolutions and decisions; and, in turn, has been influenced by them.

5. Extensive documentation has been available to the Council Committee on NGOs during the past decade and earlier on NGO contributions, both human and material, to the work of the Council and the United Nations. The Committee has also had available, both from the NGO Unit, the Conference of NGOs in Consultative Status (CONGO), and individual NGOs documentation on questions under consideration in numerous reviews called for by the Council.

6. Particularly relevant, and still timely, are memoranda prepared by the Conference of NGOs for its 15th General Assembly, 13-16 September 1982; for the Interdepartmental Working Group on the Coordination of NGO Offices and Activities, 9 April 1985; the 1991 paper by the NGO Unit/DIESA on the basis of observations made by NGOs (CONSULT/1991/NGO.1) and the intervention of the CONGO president at the 26 March 1993 meeting of the Committee on NGOs. As these papers and numerous others on similar themes are in the possession of the Secretariat, this submission comments only on the need for safeguarding the effectiveness of the consultative relationship as authorized by Article 71 of the United Nations Charter, its elaboration as set forth in resolution 1296 (XLIV) and its enhancement through NGO participation in the series of great world conferences over the past quarter century.

7. World conferences on human rights, environment, population, women, law of the sea, human settlements, the ageing, the disabled and other critical world issues have generated an explosion of NGO interest and activity. The NGO impact has been apparent in the formulation of conference plans, in conference proceedings and in the implementation of conference recommendations.

8. Without access to decision-making processes and documentation, it is unlikely that NGOs could have succeeded in educational campaigns for implementation through governmental and non-governmental action. To assure continuing effective follow-up, world conferences need to be as open as facilities and staffing permit to organizations which have the capacity to contribute substantively and the outreach to stimulate support for conference

recommendations. This level of NGO access can be seen as partial insurance for the success of the conference.

9. Another high impact NGO activity which merits wholehearted support is the practice initiated and continued by the Conference of NGOs (CONGO) of organizing and raising funds for a parallel open forum at the site of world conferences. The forum programme enables thousands of concerned persons from all geographic regions not accredited to the conference to experience the substance and spirit of the conference, form networks for implementation, follow conference deliberations through a daily newspaper published by CONGO and distributed also to delegates, and return to their countries informed and motivated to strengthen public policy and their own programmes.

10. NGO representation from the southern hemisphere is an important goal of conference planners, as it is for NGOs, which have made possible the attendance of hundreds of members and others from developing countries to bring their perspectives and life experiences to recent conferences. The NGO role in this regard needs to be clarified. For example, if all representatives of organizations headquartered, for reasons of communication, in Europe, and whose local and national affiliates from other regions represented only through their international bodies are grouped as "European", as was done at the United Nations Conference on Environment and Development, the participation of NGOs is distorted, their representatives are offended and the impression that NGO attendance is too heavily weighted from industrialized countries is reinforced. Principle No. 9 of resolution 1296 (XLIV) offers a guide to the accreditation of other than international organizations to conferences as well as to the ranks of NGOs in consultative status.

11. Due to lack of resources, most NGOs, are unable to maintain offices and personnel in United Nations headquarters cities unless they are based there. Consequently, not all, but many NGOs are forced to be represented by Americans at United Nations Headquarters in New York, by Swiss in Geneva, by Kenyans in Nairobi, by Austrians in Vienna, despite the fact that they may represent memberships which span the globe and bring to their work the experience of the organization.

12. A productive relationship can be maintained and strengthened with new organizations as well as with the international organizations in consultative status which have demonstrated the value of the relationship both to the work of the United Nations and to their own, by continuing standards set forth in resolution 1296 (XLIV). Breadth of membership, non-profit and non-governmental status, a high level of expertise in areas of United Nations work and capacity for outreach are among the requisites on the NGO side.

13. On the United Nations side, the totally inadequate number of staff charged with serving both the Committee on NGOs, other bodies and the NGOs themselves has often been noted. If consideration is being given to meeting the increasing demand for consultative status, questions need to be raised as to the workload of the NGO Committee, the small staff available for screening and countless other services, as well as the availability of facilities already overburdened in New York and Geneva.

14. In summary, the World YWCA suggests that extensive documentation exists on the issues before the Working Group; that resolution 1296 (XLIV) has the flexibility to continue defining the consultative relationship despite changes taking place; that an analysis of NGO support, membership and representation at world conferences be made before formulating general guidelines for NGO accreditation, that parallel forums at the sites of world conferences should be encouraged and that expanding the NGO Unit and creativity in the use of space are imperative to accommodate a larger number of NGOs.

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Statement submitted by the International Council of Women, a non-governmental organization in consultative status with the Economic and Social Council, category I

The Secretary-General has received the following statement, which is being circulated in accordance with paragraphs 23 and 24 of Economic and Social Council resolution 1296 (XLIV) of 23 May 1968.

* * *

1. The International Council of Women (ICW) has affiliates in 78 countries at all levels of development and belonging to all five continents. ICW was founded more than 100 years ago, in 1888. The president is elected, not appointed, and represents all affiliates. The current European president just finished her constitutional mandate and will be replaced by someone from another continent. At the moment, there are three candidates.

2. By virtue of its category I consultative status, ICW has a long record of cooperation with the United Nations, funding many projects with the United Nations Children's Fund, the United Nations Development Fund for Women, the United Nations Population Fund, the United Nations Educational, Scientific and Cultural Organization, the World Health Organization and others over the 106 years of its existence.

3. The International Council of Women cannot accept the recent tendency to label organizations as "northern" or "southern" on the basis of the site of their headquarters. It simply is a fact that all United Nations offices are situated in the North, except for the United Nations Centre for Human

Settlements (Habitat) and the United Nations Environment Programme (Nairobi) and the International Research and Training Institute for the Advancement of Women (Santo Domingo). Due to the necessity of being available and because of the time-consuming work, the representatives must be people living on the spot; non-governmental organizations have no financial means to pay for the travel costs. What is important is not the location of the headquarters nor the nationality of the representatives to United Nations offices, but the constituencies of the organizations and the reflection in their policy-making organs.

4. Several United Nations priorities are important to us too: environment, human rights, food and nutrition, population, social development and the advancement of the status of women. Several seminars and projects in close collaboration with United Nations organizations show this. Our main subjects for the 1995 Fourth World Conference on Women, in Beijing, are: "democracy" and "violence against women in the family and in society", with a complementary focus on the girl child.

5. ICW was immediately given the consultative status category I and has kept it. Every organization worthy of this status has to prove that it knows the procedures and the rules as established. The control commission must act more severely if needed. But we see no reason for bringing disruption between NGOs, nor for creating a needless and dangerous polarization as well. On the contrary, all NGOs should collaborate to the benefit of mankind.

6. We ask the Working Group to seriously consider these suggestions before changing the consultative status of NGOs. New arrangements must not lead to restraints in the daily work of the non-governmental organizations.